

Atty. Docket No. DE920000090US1  
(590.160)

**REMARKS**

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejection present in the outstanding Office Action in light of the following remarks.

Claims 1-14 were pending in the instant application at the time of the outstanding Office Action. Of these claims, Claims 1, 12, 13, and 14 are independent claims; the remaining claims are dependent claims. Claims 14 has been rewritten to correct an obvious typographical error noted therein. Applicants intend no change in the scope of the claims by the changes made by these amendments. It should also be noted these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Claims 1, 3, 12, and 14 stand rejected under 35 USC § 102(e) as being anticipated by Smith et al. Reconsideration and withdrawal of this rejection is respectfully requested.

As best understood, Smith et al. appears to be directed to managing connections between a plurality of clients and a server. (Col. 1, lines 59-62) In particular, Smith et al. facilitates off-loading the connection management burden from the host CPU to an adapter card interposed between the network and the host bus. (Col. 1, lines 62-65) Smith et al. appears to accomplish this off-loading by including on the adapter card a proxy application and data buffers. (Col. 2, lines 5, 14) As described by Smith et al., this "allows many network connections to be open with clients, while a relatively few bus

Atty. Docket No. DE920000090US1  
(590.160)

connections are open to the server." (Col. 2, lines 11-13) The difficulty with this arrangement arises when attempting to scale up to larger environments. Scale up is accomplished by increasing the physical size of the available buffers, and as stated in the present application, "[a] simple up-scaling of the local memory is expensive as it costs too much (e.g. chip area costs or SRAM/DRAM module costs)." (Paragraph 0013)

Up-scaling by increasing the physical size of the available buffers (memory) in Smith et al. stands in stark contrast to the present invention. As discussed in the specification, among the advantages of the present invention is up-scaling the performance of the network coupler according to dynamically changing traffic load without adding large amounts of fast and expensive SRAM/DRAM area locally into the device. (Paragraph 0027) The present invention thus overcomes the resource restrictions of the local-memory-only approach, while maintaining the performance advantages, by using the local memory as a cache and using the system memory to hold those work requests which do not fit into the cache. (Paragraph 0036) In accordance with at least one presently preferred embodiment of the invention, all transmission control information – which requires only a small chip area compared to the total request data contained in the queue pair – is available immediately where it is required. The rest of the data which can be sent "through" the host adapter is stored external to the adapter/switching elements because it does not carry any routing/switching information. (Paragraph 0051)

Claim 1 has been rewritten to recite, *inter alia*, operating a local memory being associated with the network coupling adapter as a cache memory relative to a system

Atty. Docket No. DE920000090US1  
(590.160)

memory for storing transmission control information, wherein information other than transmission control information is stored in the system memory. (emphasis added)

It is respectfully submitted that Smith et al. clearly falls short of present invention (as defined by the independent claims) in that, *inter alia*, operating a local memory being associated with the network coupling adapter as a cache memory relative to a system memory for storing transmission control information, wherein information other than transmission control information is stored in the system memory. Accordingly, Applicants respectfully submit that the applied art does not anticipate the present invention because, at the very least, “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under construction.” *W.L. Gore & Associates, Inc. v. Garlock*, 721 F.2d 1540, 1554 (Fed. Cir. 1983); *see also In re Marshall*, 198 U.S.P.Q. 344, 346 (C.C.P.A. 1978).

Claims 2, 4-11 and 13 stand rejected under 35 USC § 103(a) as obvious over Smith et al. in view of Pettey et al. Reconsideration and withdrawal of the present rejections are hereby respectfully requested.

A 35 USC 103(a) rejection requires that the combined cited references provide both the motivation to combine the references and an expectation of success. Not only is there no motivation to combine the references, no expectation of success, but actually combining the references would not produce the claimed invention. Thus, the claimed invention is patentable over the combined references and the state of the art.

Atty. Docket No. DE920000090US1  
(590.160)

Petty et al. does not overcome the deficiencies of Smith et al. set forth above. Furthermore, even if there were a motivation for the combination, this combination does not teach or suggest the claimed invention.

In view of the foregoing, it is respectfully submitted that independent Claims 1, 12, 13, and 14 fully distinguish over the applied art and are thus allowable. By virtue of dependence from Claim 1, it is thus also submitted that Claims 2-11 are also allowable at this juncture.

The "prior art made of record" has been reviewed. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant as to have been applied against the claims of the instant application. To the extent that the Office may apply such prior art against the claims in the future, Applicants will be fully prepared to respond thereto.

/

/

/

/

/

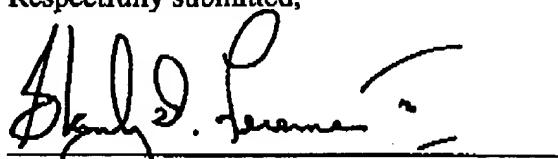
/

/

Atty. Docket No. DE920000090US1  
(590.160)

In summary, it is respectfully submitted that the instant application, including Claims 1-14, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Stanley D. Ference III  
Registration No. 33,879

Customer No. 47049  
FERENCE & ASSOCIATES  
400 Broad Street  
Pittsburgh, Pennsylvania 15143  
(412) 741-8400  
(412) 741-9292 - Facsimile

Attorneys for Applicants